

House Bill 1521

By: Representatives Smith of the 168th, Keen of the 179th, Williams of the 165th, Drenner of the 86th, Collins of the 27th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial
2 relations, so as to repeal certain provisions; to transfer the Division of Rehabilitation Services
3 from the Department of Labor to the Department of Community Affairs; to amend Chapter
4 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of
5 Community Affairs, so as to transfer functions and personnel of the Division of
6 Rehabilitation Services to the Department of Community Affairs; to provide for the more
7 efficient operation of the division; to amend definitions relating to the Division of
8 Rehabilitation Services; to provide for legislative intent; to change references consistent with
9 the transfer of provisions; to provide for related matters; to provide an effective date; to
10 repeal conflicting laws; and for other purposes.

11 WHEREAS, the Division of Rehabilitation Services (DORS) of the Department of Labor
12 conducts a unique and essential public service for those individuals most in need of
13 assistance: the physically and mentally disabled; and

14 WHEREAS, the vocational and rehabilitative services provided by DORS uniquely aid in
15 the employment of disabled Georgia citizens and help the disabled to help themselves by
16 enabling persons with disabilities to engage in remunerative occupations and ultimately to
17 become increasingly self-sufficient; and

18 WHEREAS, each community within each county of Georgia should have equal and
19 meaningful access to rehabilitative services, and the Georgia Department of Community
20 Affairs is uniquely able to provide incentives to local areas to assist in the development of
21 vocational rehabilitative services and improve the quality of life through the development of
22 such programs; and

23 WHEREAS, the General Assembly acknowledges that access to vocational rehabilitative
24 services is an important local and regional planning component that is critical to meeting the
25 needs and providing for the general welfare of disabled persons and their families; and

26 WHEREAS, there is a clear need for the State of Georgia to establish a statewide plan for
27 vocational rehabilitative services that lowers costs and provides greater services for less
28 money; and

29 WHEREAS, current technology provides an opportunity to decentralize and reduce
30 administrative staff at a cost savings to the state; and

31 WHEREAS, vocational rehabilitation interacts with the various health services of cities and
32 counties throughout the state; and

33 WHEREAS, Georgia has become known for its efforts to provide improved customer
34 services to its citizens; and

35 WHEREAS, the state should encourage the employment of persons with disabilities in
36 pursuit of its overall mission to serve its citizens regardless of disability, and such persons
37 with disabilities should not be denied access to important information that would allow them
38 to make informed choices on key quality work and career issues; and

39 WHEREAS, the transfer of the Division of Rehabilitative Services to the Department of
40 Community Affairs will allow for expansion and improvement in the delivery of vocational
41 rehabilitative services without any additional costs to the state.

42 NOW, THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

43 **SECTION 1.**

44 Code Section 32-2-4.1 of the Official Code of Georgia Annotated, relating to the Gateway
45 Center, is amended by revising subsection (e) as follows:

46 "(e) Gateway Center may be a 'welcome center, tourist center, and safety rest area' for
47 purposes of Code Section ~~34-15-42~~ 50-8-270, and the preference given by Code ~~Sections~~
48 ~~34-15-41 and 34-15-42~~ Section 50-8-270 shall apply to and affect Gateway Center."

SECTION 2.

Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, is amended by repealing Chapter 15, relating to the transfer of the Division of Rehabilitation Services to the Department of Labor.

SECTION 3.

Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of Community Affairs, is amended by adding a new article to read as follows:

"ARTICLE 10

50-8-250.

As used in this article, the term or terms:

(1) 'Blind person' means a person who has:

(A) Not more than 20/200 central visual acuity in the better eye after correction; or

(B) An equally disabling loss of the visual field.

(2) 'Commissioner' means the commissioner of community affairs.

(3) 'Department' means the Department of Community Affairs.

(4) 'Director' means the official of the division who is charged with the administration of the division's functions under this article.

(5) 'Disability to employment' means a physical or mental condition which constitutes, contributes to, or, if not corrected, will probably result in an impairment of occupational performance.

(6) 'Division' means the Division of Rehabilitation Services of the Department of Community Affairs.

(7) 'Occupational license' means any license, permit, or other written authority required by any governmental unit to be obtained in order to engage in an occupation.

(8) 'Person with disabilities' means an individual having a physical or mental impairment that substantially limits one or more of the major life activities.

(9) 'Prosthetic appliance' means any artificial device necessary to support or take the place of a part of the body or to increase the acuity of a sense organ.

(10) 'Regulations' means regulations made by the commissioner and promulgated in the manner prescribed by law.

(11) 'Rehabilitation center' means a facility operated for the purpose of assisting in the rehabilitation of persons with disabilities which provides one or more of the following types of services:

(A) Testing, fitting, or training in the use of prosthetic devices;

(B) Prevocational or conditioning therapy;

(C) Physical, corrective, or occupational therapy; or

(D) Adjustment training or evaluation or control of special disabilities; or a facility in which a coordinated approach is made to the physical, mental, and vocational evaluation of persons with disabilities and an integrated program of physical restoration and relating training is provided under competent professional supervision and direction.

(12) 'Rehabilitation training' means all necessary training provided to a person with disabilities to compensate for his or her disability to employment, including, but not limited to, manual preconditioning, relating, vocational, and supplementary training and training provided for the purpose of developing occupational skills and capacities.

(13) 'Vocational rehabilitation' and 'vocational rehabilitation services' mean any service, provided directly or through public or private instrumentalities, found by the director to be necessary to compensate a person with disabilities for his or her disability to employment and to enable such individual to engage in a remunerative occupation.

(14) 'Workshop' means a place where any manufacture or handwork is carried on and which is operated for the primary purpose of providing rehabilitative activities, including the use of monetary rewards as an incentive practice for persons with disabilities unable to engage in the competitive labor market. Persons receiving services in workshops shall not be considered as employees of the state for workers' compensation, retirement, or any other purposes.

50-8-251.

(a) The Division of Rehabilitation Services within the Department of Labor, including the disability adjudication section, rehabilitative services, business enterprise program, services for the blind, and the Roosevelt Warm Springs Institute for Rehabilitation, all are transferred to the Department of Community Affairs on July 1, 2010, and that division shall become the Division of Rehabilitation Services of the Department of Community Affairs on July 1, 2010. The functions, duties, programs, institutions, and authority of the Division of Rehabilitation Services which were vested in the Department of Labor on June 30, 2010, are vested in the Department of Community Affairs effective July 1, 2010. The division shall be administered by a director appointed by the commissioner. The policy-making functions which were vested in the Department of Labor are vested in the Board of Community Affairs effective July 1, 2010.

(b) The department shall, from July 1, 2010, assume possession and control of all records, papers, equipment, supplies, office space, and all other tangible property possessed and controlled by the Department of Labor as of June 30, 2010, in the Department of Labor's

administration of the Division of Rehabilitation Services. All funds attributable to the Division of Rehabilitation Services and its programs and institutions from state, federal, and any other public or private source, including surplus stimulus funds, shall be transferred to the department July 1, 2010.

(c) The Department of Labor shall calculate, in consultation with the department, the amount of all funds of or attributable to the Division of Rehabilitation Services and its programs and institutions from any source that are used to provide administrative or other services within the Department of Labor, including funds from the disability adjudication section, the cost allocation system, and any indirect costs funding from the federal government or any other source, including surplus stimulus funds. The amount calculated shall be transferred to the Department of Community Affairs on July 1, 2010. Any changes or amendments made to the structure or placement of division programs and institutions, the allocation and expenditure of division funds, division rules, regulations, policies and procedures, or the administrative orders of the Department of Labor pertaining to the division, until July 1, 2010, shall be made in consultation with the commissioner. In addition, on and after July 1, 2010, the Department of Labor shall make available to the department all records and information of the Department of Labor and the division which relate to the functions, duties, and administration of the division, to assist in the orderly transfer of the division to the department.

(d) All officers, employees, and agents of the Division of Rehabilitation Services who, on June 30, 2010, are engaged in the performance of a function or duty which shall be vested in the Division of Rehabilitation Services of the Department of Community Affairs on July 1, 2010, by this article, shall be automatically transferred to the department. An equivalent number of positions or funds of the Department of Labor which provide administrative support to the Division of Rehabilitation Services shall be transferred to the department on July 1, 2010. Such persons shall be subject to the employment practices and policies of the department on and after July 1, 2010. The compensation and benefits of such transferred employees shall not be reduced. Employees who are subject to the State Personnel Administration and who are transferred to the department shall retain all existing rights under the State Personnel Administration. Retirement rights of such transferred employees on June 30, 2010, shall not be impaired or interrupted by the transfer of such employees, and membership in any such retirement system shall continue in the same status possessed by the transferred employees on June 30, 2010. Accrued annual and sick leave shall be retained by said employees as employees of the department. The department shall be responsible for payment of the accrued Fair Labor Standards Act compensatory time possessed by said employees. Such accrued compensatory time shall be used by or paid to said employees prior to July 1, 2010.

(e)(1) The Division of Rehabilitation Services of the Department of Community Affairs is the designated state unit for the vocational rehabilitation program.

(2) The division shall conform to federal standards in all respects necessary for receiving federal grants and the commissioner is authorized and empowered to effect such changes as may, from time to time, be necessary in order to comply with such standards.

(3) The division is authorized to employ, on a full or part-time basis, such medical, psychiatric, social work, supervisory, institutional, and other professional personnel and such clerical and other employees as may be necessary to discharge the duties of the division under this article. The division is also authorized to contract for such professional services as may be necessary.

(4) Classified employees of the division under this article shall in all instances be employed and dismissed in accordance with rules and regulations of the State Personnel Administration.

(f) The Department of Community Affairs shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Labor which are in effect on June 30, 2010, and which relate to the functions of the Division of Rehabilitation Services. Such rules, regulations, policies, procedures, and administrative orders shall remain in effect until amended, repealed, superseded, or nullified by proper authority or as otherwise provided by law.

(g) The rights, privileges, entitlements, and duties of parties to contracts, leases, agreements, and other transactions entered into before July 1, 2010, by the Department of Labor or the Division of Rehabilitation Services pertaining to the division transferred to the department by this article shall continue to exist; and none of these rights, privileges, entitlements, and duties are impaired or diminished by reason of the transfer of the functions to the department. In all such instances, the department shall be substituted for the Department of Labor, and the department shall succeed to the rights and duties under such contracts, leases, agreements, and other transactions.

50-8-252.

(a) There shall be a director of the Division of Rehabilitation Services who shall be appointed or removed by the commissioner.

(b) In carrying out his or her duties under this article, the director of the Division of Rehabilitation Services of the Department of Community Affairs:

(1) Shall, with the approval of the commissioner, prepare such regulations for promulgation by the department as he or she finds necessary to carry out the purposes of this article;

191 (2) Shall, with the approval of the commissioner, prepare such policies and procedures
192 as he or she finds necessary for the purposes of this article and establish appropriate
193 subordinate administrative units within the division;

194 (3) Shall recommend to the commissioner for appointment such personnel as he or she
195 deems necessary for the efficient performance of the functions of the division and provide
196 for the training of such personnel;

197 (4) Shall prepare and submit to the commissioner, the President of the Senate, and the
198 Speaker of the House of Representatives annual reports of activities and expenditures,
199 including an evaluation of the effectiveness of each agency program, and, prior to each
200 regular session of the General Assembly, estimates of sums required for carrying out this
201 article and estimates of the amounts to be made available for this purpose from all
202 sources;

203 (5) Shall prepare a biennial report consisting of the results of customer service delivery
204 evaluations which shall survey a broad range of customers that includes not only persons
205 with disabilities and their families, but also educators, community service personnel, and
206 other state and local agencies with which the Division of Rehabilitation Services must
207 interact and serve;

208 (6) Shall make certification for disbursement, in accordance with regulations, of funds
209 available for carrying out the purposes of this article;

210 (7) May, with the approval of the Commissioner, delegate to any officer or employee of
211 the division such of his or her powers and duties, except the making of regulations and
212 the appointment of personnel, as he or she finds necessary to carry out the purposes of
213 this article; and

214 (8) Is designated as the administrator of a program provided under Section 221 of the
215 federal Social Security Act, relating to disability adjudication services. The director shall
216 receive, notwithstanding any other provision of law and in addition to his or her regular
217 compensation, such compensation and allowance as may be augmented from grants by
218 the appropriate federal agency in such amount as is determined by the federal agency to
219 be commensurate with the duties imposed by Section 221 of the federal Social Security
220 Act.

221 50-8-253.

222 The department, through the division, shall provide the services authorized by this article
223 to persons with disabilities determined to be eligible therefor; and, in carrying out the
224 purposes of this article, the division is authorized, among other things:

225 (1) To cooperate with other departments, agencies, boards, schools, and institutions, both
226 public and private, in providing the services authorized by this article to persons with

disabilities; in studying the problems involved therein; and in establishing, developing, and providing, in conformity with the purposes of this article, such programs, facilities, and services as may be necessary or desirable;

(2) To enter into reciprocal agreements with other states to provide for the services authorized by this article to residents of the state concerned;

(3) To conduct research and compile statistics relating to the provision of services, or the need of services by persons with disabilities, and the effectiveness of division programs;

(4) To license blind persons or other persons with disabilities to operate vending facilities under its supervision and control, subject to the terms and conditions provided in regulations, policies, and procedures issued pursuant to Code Section 50-8-270, on:

(A) State property;

(B) County or municipal property;

(C) Federal property, pursuant to delegation of authority under the Randolph-Sheppard Act (20 U.S. Code, Section 107b) (49 Stat. 1559) and any amendment thereto or any act of Congress relating to this subject; and

(D) Private property; and

(5) To provide for the establishment, supervision, and control of suitable business enterprises to be operated by persons with disabilities.

50-8-254.

The Division of Rehabilitation Services is authorized to utilize funds made available from appropriations by Congress, by gifts or grants from private sources, by appropriations of the General Assembly, or by transfer of funds from other state departments for the purpose of establishing and operating rehabilitation centers and workshops.

50-8-255.

The department, through the division, is empowered and directed to cooperate, pursuant to agreements with the federal government, in carrying out the purposes of any federal statutes pertaining to the purposes of this article. The department is authorized to adopt such methods of administration as are found by the federal government to be necessary for the proper and efficient operation of such agreements and to comply with such conditions as may be necessary to secure the full benefits of such federal statutes and appropriations, to administer any legislation pursuant thereto enacted by this state, to direct the disbursement and administer the use of all funds provided by the federal government or this state for the purposes of this article, and to do all things necessary to ensure the vocational rehabilitation of persons with disabilities.

50-8-256.

The Office of Treasury and Fiscal Services is designated as custodian of all moneys received from the federal government for the purpose of carrying out any federal statutes pertaining to the purpose of this article. The Office of Treasury and Fiscal Services shall make disbursements from such funds and all state funds available for such purposes.

50-8-257.

Budget estimates of the amount of appropriations needed each fiscal year for vocational rehabilitation services and for the administration of the programs under this article shall be submitted by the director to the commissioner and, upon approval by the commissioner, shall be included in the estimates made by the commissioner to the Office of Planning and Budget. In the event federal funds are available to the state for vocational rehabilitation purposes, the division is authorized to comply with such requirements as may be necessary to obtain said federal funds in the maximum amount and most advantageous proportion possible insofar as this may be done without violating other provisions of the state law and Constitution. In the event Congress fails in any year to appropriate funds for grants-in-aid to the state for vocational rehabilitation purposes, the commissioner shall include as a part of his or her budget a request for adequate state funds for vocational rehabilitation purposes.

50-8-258.

The director is authorized and empowered, with the approval of the commissioner, to accept and use gifts made unconditionally, by will or otherwise, for carrying out the purposes of this article. Gifts made under such conditions as are proper and consistent with this article may be so accepted and shall be held, invested, reinvested, and used in accordance with the conditions of the gift.

50-8-259.

(a) Vocational rehabilitation services shall be provided to any qualified individual who is a bona fide resident of the state.

(b) The financial need of eligible persons with disabilities will be considered in the provision of vocational rehabilitation services to the extent allowed by federal or other state law.

50-8-260.

The Division of Rehabilitation Services of the Department of Community Affairs is the designated state unit for the independent living program. The independent living program

is authorized to provide or contract for the provision of such services as may be needed to enable persons with disabilities to attain the maximum degree of independent living. The powers delegated and authorized in this Code section for the division shall be in addition to those previously authorized by any other law. The department is authorized to cooperate with any federal agency in the administration of such a program.

50-8-261.

Any individual applying for or receiving vocational rehabilitation services who is aggrieved by any action or inaction of the division shall be entitled, in accordance with regulations, to a hearing.

50-8-262.

Any rights of persons with disabilities to maintenance under this article shall not be transferable or assignable at law or in equity and shall be exempt from the claims of creditors.

50-8-263.

Where a person with disabilities who receives vocational rehabilitation services is covered by a hospitalization or medical insurance policy, the Division of Rehabilitation Services shall be subrogated to the rights of such person with disabilities to recover in an amount not to exceed the cost of vocational rehabilitation services rendered by the division, exclusive of those services for which eligibility is not predicated on the need for financial assistance. Where the person with disabilities receives vocational rehabilitation services without disclosing that he or she is covered by a hospitalization or medical insurance policy, he or she shall be liable therefor to the division in an amount not to exceed the cost of rehabilitation services rendered, exclusive of those services for which eligibility is not predicated on the need for financial assistance, or in an amount not to exceed the insurance reimbursement received, whichever is the lesser.

50-8-264.

Where a person with disabilities who receives vocational rehabilitation services is entitled to recover damages for said injuries, the Division of Rehabilitation Services shall have a lien, in an amount not to exceed the cost of rehabilitation services rendered and including the cost of collection and reasonable attorney's fees, upon any and all causes of action accruing to the individual to whom such services were furnished, or to the legal representative of such individual, on account of injuries giving rise to such cause of action and which necessitated such rehabilitation services, subject, however, to any attorney's lien.

In order to perfect such lien, the division shall file in the office of the clerk of the superior court of the county wherein the individual resides, a verified statement setting forth the name and address of such individual; the name and address of the division; the amount claimed to be due for such vocational rehabilitation services; and, to the best of claimant's knowledge, the names and addresses of all persons, firms, or corporations claimed by such injured individual, or the legal representative of such individual, to be liable for damages arising from such injuries. The division shall also, within one day after the filing of such claim or lien, mail a copy thereof to any person, firm, or corporation so claimed to be liable for such damages to the addresses as given in such statement. The filing of such claim or lien shall be notice thereof to all persons, firms, or corporations liable for such damages, whether or not they are named in such claim or lien. The clerk of the court shall endorse thereon the date and hour of filing in the hospital lien book, along with the name of the claimant, the injured person, the amount claimed, and the names and addresses of those claimed to be liable for damages. Such information shall be recorded in the name of the injured individual. The clerk shall be paid \$10.00 as his or her fee for such filing. No release for such cause or causes of action or any judgment thereon, or any covenant not to sue thereon, shall be valid or effectual as against such lien unless the holder thereof shall join therein or execute a release of such lien; and the claimant of such lien may enforce the lien by an action against the person, firm, or corporation liable for such damages.

50-8-265.

The division is authorized to retain title to any property, tools, instruments, training supplies, equipment, or other items of value acquired for use of persons with disabilities and to repossess and transfer them for the use of other persons with disabilities. The commissioner is authorized to offer for sale any items acquired in the operation of the program under this article when they are no longer necessary or to exchange them for necessary items which may be used to greater advantage. When any such surplus equipment is sold or exchanged, a receipt for it shall be taken from the purchaser showing the consideration given for such equipment and shall be forwarded to the Office of Treasury and Fiscal Services; and any funds received by the division pursuant to any such transactions shall be deposited in the state treasury in the appropriate federal or state rehabilitation account and shall be available for expenditures for any purposes consistent with this article.

50-8-266.

It shall be unlawful, except for purposes directly connected with the administration of the vocational rehabilitation program and in accordance with regulations, policies, and

procedures, for any person or persons to solicit, disclose, receive, or make use of or authorize, knowingly permit, participate in, or acquiesce in the use of any list of, or names of, or any information concerning persons applying for or receiving vocational rehabilitation, directly or indirectly derived from the records. Any person who violates any provision of this Code section shall be guilty of a misdemeanor.

50-8-267.

Employees of the department engaged in functions under this article shall be governed by the prohibitions in the rules and regulations of the State Personnel Board and the federal Office of Personnel Management from participation in political activity.

50-8-268.

The General Assembly reserves the right to amend or repeal all or any part of this article at any time, and there shall be no vested private right of any kind against such amendment or repeal. All the rights, privileges, or immunities conferred by this article or by acts done pursuant thereto shall exist subject to the power of the legislature to amend or repeal this article at any time.

50-8-269.

(a) The Division of Rehabilitation Services of the Department of Community Affairs shall oversee the delivery of deaf-blind services and techniques provided by an organization pursuant to subsection (c) of this Code section that lead to maximum independence and employment for individuals with both a hearing and a vision loss. These services shall include, but not be limited to, transition of deaf-blind youth from education to the work force; identification of deaf-blind individuals in Georgia; communication access for varying groups of individuals and their unique needs; training deaf-blind individuals in orientation and mobility, rehabilitation, and Braille; utilization of support service providers to function as sighted guides, communication facilitators, and providers of transportation; support and increase in the number of qualified sign language interpreters working with deaf-blind individuals; use of adaptive technologies, such as computers, telebrailers, and TTY devices; strategies and techniques to assist deaf-blind individuals in obtaining the highest level of independence possible; and peer support which provides access to information, people, and places.

(b) The division shall, to the greatest extent possible, integrate the services and techniques required pursuant to subsection (a) of this Code section into its standard practices and procedures with the objective of providing appropriate services in an appropriate manner to individuals in the deaf-blind community.

(c) Subject to appropriations by the General Assembly, the division shall retain an organization knowledgeable on deaf-blind issues to provide the services and techniques included in subsection (a) of this Code section to deaf-blind individuals and to provide comprehensive training to division staff on such services and techniques required pursuant to subsection (a) of this Code section.

50-8-270.

(a) As used in this Code section, the term:

(1) 'State property' means any building, land, or other real property owned, leased, or occupied by any department, commission, board, bureau, agency, public corporation, or other instrumentality of the state, including, but not limited to, the Georgia Building Authority, and any other real property in which the state has a legal or beneficial interest; provided, however, such term shall not include any property, real or personal, owned or leased or otherwise under the jurisdiction of the Board of Regents of the University System of Georgia, the Georgia Education Authority (University), or any county or independent school system of this state.

(2) 'Vending facility' means vending stands, vending machines, snack bars, cart service, shelters, counters, and such other appropriate facilities and equipment as may be necessary for the sale of articles or services by licensed blind persons or other persons with disabilities, as prescribed by rules and regulations adopted by the department.

(b) To effectuate the purposes of this Code section, it is declared to be public policy of the state that on any state property where the commissioner determines it to be feasible to establish a vending facility to be operated by a licensed operator as provided in this Code section and where the agency or custodian of such property determines that such facility can be established without undue inconvenience to the operation being carried on in such state building or property, the preference accorded in this Code section shall require that such vending facility site not be deemed available for letting to competitive bidders for revenue-producing purposes unless the commissioner declines to establish on such site a vending facility for blind persons or other persons with disabilities. The income to the agency controlling the space for such facility sites shall generally not be expected to exceed reimbursement for the cost of providing such facility site space and the services connected therewith; but in any case where such income exceeds those purposes, it shall be paid into the state treasury, subject to certification and audit.

(c) For the purpose of providing blind persons or other persons with disabilities with remunerative employment, enlarging their economic opportunities, and stimulating them to greater effort in striving to make themselves self-supporting, such blind persons or other persons with disabilities who are licensed by the division shall be authorized to operate

vending facilities on any state property where such vending facilities may be properly and
satisfactorily operated by blind persons or other persons with disabilities. In authorizing
the operation of vending facilities on state property, preference shall be given, so far as
feasible, to blind persons or other persons with disabilities licensed by the division as
provided in this Code section; and the head of each agency in control of the maintenance,
operation, and protection of state property shall, after consultation with the commissioner,
prescribe regulations designed to assure such preference, including assignment of vending
machine income to achieve and protect such preference, for such licensed blind persons or
other persons with disabilities without unduly inconveniencing such agencies or adversely
affecting the interests of the state."

SECTION 3.

Code Section 45-18-5.1 of the Official Code of Georgia Annotated, relating to licensed blind or otherwise seriously disabled vendors, is amended as follows:

"45-18-5.1.

The Department of Labor is authorized to contract with the Georgia Cooperative Services for the Blind, Inc., a nominee agent designated by the Division of Rehabilitation Services of the Department of Labor, for the inclusion of licensed blind persons or other persons with disabilities operating a vending facility in accordance with ~~Article 2 of Chapter 15 of Title 34~~ Code Section 50-8-270 within any health insurance plan or plans established under this article. In the event any contract is entered into, it shall be the duty of the Georgia Cooperative Services for the Blind, Inc., to deduct the payment required under the plan from the earnings or other compensation of licensed blind persons or other persons with disabilities and remit it to the Department of Labor for inclusion in the health insurance fund. In addition, it shall be the duty of the Georgia Cooperative Services for the Blind, Inc., to make the employer contributions required for the operation of such plan or plans. Should the Georgia Cooperative Services for the Blind, Inc., fail to remit such deductions or such employer contributions through the Department of Labor, the commissioner may, upon written notice to the Georgia Cooperative Services for the Blind, Inc., terminate the coverage for such employees as of the day following the last day for which such deductions or such employer contributions were remitted to the board. Coverage may be reinstated upon the tender of any such deductions or employer contributions not previously remitted."

SECTION 4.

Code Section 50-16-4 of the Official Code of Georgia Annotated, relating to use and keeper of capitol buildings and grounds, is amended as follows:

466 "50-16-4.
467 The use of the capitol building and grounds shall be limited to departments of the state
468 government and to state and national political organizations, and the keeper of public
469 buildings and grounds shall not grant the use of either the capitol buildings or grounds for
470 any other purposes, except that the Georgia Building Authority as keeper of public
471 buildings and grounds is authorized to provide space in the capitol building for use as a
472 vending stand, as described by ~~Article 2 of Chapter 15 of Title 34~~ Code Section 50-8-270,
473 for the use of state officials and employees and their invited guests."

474 **SECTION 5.**

475 This Act shall become effective on July 1, 2010.

476 **SECTION 6.**

477 All laws and parts of laws in conflict with this Act are repealed.